GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Registration and Stamps – Certain irregularities noticed in the Office of District Registrar, Kakinada during trap proceedings conducted on 12-04-2017 – Common disciplinary proceedings initiated under Rule 24 of APCS (CCA) Rules, 1991 – Articles of Charge framed against Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada – Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.626 **Dated:04-06-2019**

Read :

G.O.Ms.No.309, Revenue (Vigilance-II) Dept, dated 04-06-2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada (Charged Officer-2) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada (Charged Officer-2) is directed to submit within ten days of the receipt of this Order a written statement of his defence.

4. Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada (Charged Officer-2) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada (Charged Officer-2) is further informed that if he does not submit his written statement of defence on or before the time specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri M.Raja Babu, Sub Registrar Grade – I, Office of District Registrar, Kakinada (Charged Officer-2) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri M.Raja Babu, Sub Registrar Grade–I, Office of District Registrar, Kakinada. (Enclosed Annexures I to IV) **through** the Director & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada.(with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat Building No.5, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.

The Deputy Inspector General, Registration & Stamps, Kakinada, East Godavari District.

SF / SC

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ANNEXURE – I

Articles of Charge framed against Sri Mylabathula Raja Babu, Sub Registrar Grade –I, Registration & Stamps, Kakinada, East Godavari District.

Sri Mylabathula Raja Babu, S/o.Chandrayya, 50 years (Date Of Birth: 31.03.1967), native of Saripalli (V), Narasapuram (M), West Godavari. He joined in Stamps & Registration Department as Sub-Registrar Grade-I on 28.02.2005 and worked at Rajamahendravaram, Seethanagaram, Sarpavaram in East Godavari District. He was promoted as Sub-Register Grade-I on 01.10.2014 and worked as Joint Sub-Registrar at Kakinada from 01.10.2014 to 12.04.2017 at Kakinada, East Godavari District. While functioning as Joint Sub-Registrar, Kakinada, Sri Mylabathula Raja Babu has committed grave mis-conduct in as much as.

That Sri M.Rajababu, Joint Sub-Registrar, Kakinada failed to guide Sri Gunda Prasada Rao in connivance with Sri Mortha Bala Prakash told Sri Gunda Prasada Rao to get the permission letter from Sri Mortha Bala Prakash to register the land even though the land of Sri Gunda Prasada Rao's father was not in prohibited land list and facilitated Sri Mortha Bala Prakash to demand and extract bribe from Sri Gunda Prasada Rao for doing an official favour of issuing a permission letter to the Joint Registrar-1 for registration of land in R.S.Nos.195/5 & 199/1 admeasuring Ac.1.10 cents situated at Suryaraopeta, Kakinada belonging to Sri Gunda Prasada Rao's father as the said lands were not assigned lands.

Thus Sri Mylabathula Raja Babu, Sub-Registrar, Kakinada by the above mentioned acts of has committed grave mis-conduct and failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules 3 (1) & (2) of Andhra Pradesh Civil Service (Conduct) Rules 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE – II

Statement of imputation of misconduct in support of the Articles of Charge framed against Sri Mylabathula Raja Babu, Sub Registrar Grade – I, Registration & Stamps, Kakianda, East Godavari District.

Sri Mylabathula Raja Babu, S/o.Chandrayya, 50 years, native of Saripalli (V), Narasapuram (M), West Godavari. His date of birth is 31.03.1967. He joined in Government service as Sub-Registrar on 28.02.2005 and worked at Rajamahendravaram from 04.03.2005 to 04.03.2006, Seethanagaram from 04.03.2006 to 08.01.2008, Sarpavaram from 09.01.2008 to 28.06.2011, Rajamahendravaram from 29.06.2011 to 25.06.2013. He was promoted as Sub-Registrar Grade-I on 01.10.2014 and worked as Joint Sub-Registrar-1 Kakinada from 01-10-2014 to 12-04-2017. His basic pay is Rs.44,870/-. He attains the age of superannuation on 31.03.2027. He is here-in-after referred to as "Government Servant".

Whereas, on 11.04.2017 at 14.00 hrs Sri Gunda Prasada Rao @ Kishore, S/o.Sreeramachandra Murthy, 37 years, business, Kakinada, East Godavari district came to the Office of Deputy Superintendent of Police, Anti Corruption Bureau, Rajamahendravaram and lodged a written report to Deputy Superintendent of Police, Anti Corruption Bureau, Rajamahendravaram alleging that the Sri Mortha Bala Prakash, S/o.Mec.Donald, District Registrar, Kakinada, East Godavari District demanded Rs.40.000/- bribe for doing official favour of issuing permission letter to the Joint Sub-Registrar-1, Kakinada to register the land existing in RS.No.195/5 & 199/1 admeasuring about Ac.1.10 cents located at Suryaraopeta, Kakinada belongs to the complainant and his family members certifying that the above said lands are not assigned. After following due procedure, a case in Cr.No.06/RCT-RJY/2017, Under Section 7 of Prevention of Corruption Act, 1988 was registered against the Government Servant on 12-04-2017 at 06.00 hrs and investigated into. On 12-04-2017 at 11.30 hours the Government Servant was trapped at the District Registrar Office, Kakinada when he further demanded and accepted bribe of Rs.40,000/- from Sri Gunda Prasada Rao @ Kishore through his friend Sri M. Suresh.

Whereas during the course of investigation, on examination of Smt. Pidikiti Lakshmi Kumari, D/o.Sri Narasimha Rao, Deputy Inspector General of Registrations and Stamps, Kakinada, East Godavari district, R/o.Near Karangari Junction, Ashok Nagar, Kakinada, East Godavari district stated that the District Registrars receives the prohibited / assigned lands lists of all Mandals in their district from the District Collectorate. Later they forwarded the lists pertaining to all the sub-Registrars of East Godavari District of their jurisdiction. The concerned Sub-registrars entered the assigned lands details into online computer. Persons approaching the Sub-Registrar office for registration of their land, the sub-registrar should verify the land survey Number in the assigned lands list in the online computer. If the said land Survey number is not in the prohibited / assigned land list in the on line computer, then he should register the land. If the said land Survey number is in the prohibited / assigned land list in the online computer, then he should verify the land survey number in the prohibited lands list furnished from the collectorate. Then the party has to get approval of the concerned Tahsildar for correction of their survey number. The applicant has to apply through an application to the Tahsildar and the Tahsildar after verification with the lists provided by them and if a mistake found, he has to send a report to the District collector regarding deletion of the survey number from the list. Then the District Collector / Joint collector issue proceedings to delete the concerned survey number, from the prohibition list communicated to the Registration department and to also sent a copy to the Commissioner & Inspector General of Andhra Pradesh, Vijayawada will be sent for approval.

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The Commissioner & Inspector General of Andhra Pradesh, Vijayawada in turn communicate the proceedings to the concerned District Registrar to delete the survey numbers in Sub division. The Sub-Registrar should not suggest to the public to get permission to register the enquired land / Government land from the District Registrar. When a person approached the District Registrar for permission letter to concerned joint Sub-Registrar to register the prohibitory property land, then the District Registrar should guide the person to approach the Sub-Registrar and should verify the prohibited lands list furnished by collectorate. If the land R.S.No. is in the prohibited / assigned lands list, any mistake found in the list, then the District Registrar should issue instruction to the Sub-Registrar to register the document without any delay. In this particular case, on verification of file No.G1/544/2017, it is found that Sri Gunda Srirama Chandra Murthy, Suryaraopeta, Kakinada submitted an application to District Registrar, Kakinada on 30-12-2016 regarding deletion of RS Nos.199/1 & 195/5 from the prohibition list and he was unable to get the registration of property. On verification of the file it revealed that the S.No.199/1 & 195/5 did not exist in the prohibition land. The note dated 06.04.2017 and proceedings No.G1/544/2017 the District Registrar directed the Government Servant to register the land and the lands are not in the prohibited list.

Hence, Sri Rajababu, Joint Sub-Registrar, Kakinada failed to guide Sri Gunda Prasada Rao in connivance with the Sri Mortha Bala Prakash told Sri Gunda Prasada Rao to get the permission letter from Sri Mortha Bala Prakash to register the land even though the land of Sri Gunda Prasada Rao's father was not in prohibited land list and facilitated the Sri Mortha Bala Prakash to demand and extract bribe from Sri Gunda Prasada Rao for doing an official favour of issuing a permission letter to the Joint Registrar-1 for registration of land in Rs.Nos.195/5 & 199/1 admeasuring Ac.1.10 cents situated at Suryaraopeta, Kakinada belonging to Sri Gunda Prasada Rao's father as the said lands were not assigned lands.

Thus Mylabathula Raja Babu, Sub-Registrar, Kakinada, by the above mentioned acts has committed grave mis-conduct and failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules 3 (1) & (2) of Andhra Pradesh Civil Service (Conduct) Rules 1964.

Thus the Government Servant therefore rendered himself liable for regular departmental action for major penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE – III

LIST OF DOCUMENTS

1	Copy of Mediators Report-II drafted at the O/o District Registrar, Kakinada, 12.04.2017 (file entire record).
2	Letter No.B/1249/2017, dated 30.11.2017 of Tahsildar, Kakinada Urban, Kakinada.
3	Letter No.E1/346/2017, dated 30.11.2017 of the Deputy Inspector General of Registration and Stamps, Kakinada.
4	Survey report of land R.S.No. 195/5 & 199/1 situated at Suryaraopeta, Kakinada submitted by the complainant.
5	161 Cr.P.C statement of Smt.Pidikiti Lakshmi Kumari, D/o.Sri Narasimha Rao, DIG of Registration & Stamps, Kakinada, East Godavari District, R/o.Near Karangiri Junciton, Ashok Nagar, Kakianda, East Godavari District.
6	Furnishing details of properties U/s.22-2(1) (a) of the Registration Act, 1908 for Prohibition.
7	Any Other records which are required during the course of investigation will be obtained.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE – IV

LIST OF WITNESSES

1	Sri Gunda Prasada Rao @ Kishore, S/o.Sriramachandra Murthy, R/o Star Building, Turangi (V), Kakinada, East Godavari District.
2	Sri Marneedi Suresh, S/o.Sri Swamy, R/o.D.No.67-7-4/1, Ashok Nagar, Kakinada, East Godavari District.
3	Smt. Pidikiti Lakshmi Kumari D/o.Narasimha Rao, age 59 years, DIG of Registrations and stamps, Kakinada, E.G.Distirct.
4	Sri Manapragada Siva Kumar, S/o.M.Krishna Rao, age 37 yrs, Forest Range officer, Rajavommangi, Kakinada Division, E.G.District. R/o Forest residential quarters, Rajavommangi.
5	Sri Matsa Jaya Venkata Satya Rajendra Varama, S/o.M.Lakshmipathi, age:49 yrs, Sr.Asst., O/o.Forest Range office, Kakinada. R/o D.No.70-7-2/5, Siddardhanagar, Road No.2, Kakinada.
6	Sri M.Sudhakara Rao, Dy.Supdt. of Police, Anti Corruption Bureau, Rajamahendravaram Range, Rajamahendravaram.
7	Sri P.V.Surya Mohana Rao, Range Inspector-I, Anti Corruption Bu Rajamahendravaram Range.
8	Any other witnesses whose evidence is relevant during investigation.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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